
Public Utilities Commission of the State of California

Wesley M. Franklin, Executive Director

Headquarters

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San Francisco, CA 94102
(415) 703-2782

Southern California Office

107 So. Broadway, Room 5109
Los Angeles, CA 90012
(213) 897-2973

Website: <http://www.cpuc.ca.gov>

Daily Calendar **Thursday, September 17, 1998**

- Regular Commission Meetings
- Notices
- Glossary
- Subscription Information (Daily Calendar and Agenda)
- Commissioner Office Hours
- Public Meetings and Workshops
- New Filings
- Petitions for Modification and Applications for Rehearing
- Draft Decisions/Proposed Decisions/Alternates/Presiding Officer's Decisions/
Arbitrator's Reports
- Advice Letter Filings
- Miscellaneous Transportation Items
- Miscellaneous Telecommunication Matters
- Adjournments/Resettings/Submissions
- Removals from Calendar
- New Settings
- Law and Motion Hearings
- Hearings
- Notice of Denial of Request for Ex Parte Meeting
- Notice of All-Party Meetings (PU Code §1701.3(c))
- Notice of Ex Parte Communications



The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call (415) 703-1203. If specialized accommodations for the disabled are needed, e.g. sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074 or TDD# (415) 703-2032 five working days in advance of the event.

REGULAR COMMISSION BUSINESS MEETINGS

| | | |
|--------------------|---|---|
| September 17, 1998 | 10 am | San Francisco |
| October 8, 1998 | 10 am - 11 am Open Forum/Town Hall meeting with Commissioners 11 am Commission meeting begins | <i>Leisure World, Club House 3, 23822 Avenida Savilla, Laguna Hills, CA 92653</i> |
| October 22, 1998 | 10 am | San Francisco |

**COMMISSION RATESETTING DELIBERATIVE MEETINGS
(Not Open to the Public)**

Ratesetting Deliberative Meeting dates are reserved as noted but will only be held if there are ratesetting matters to be considered.

| | | |
|------------------|---------|---------------|
| October 5, 1998 | 1:30 pm | San Francisco |
| October 19, 1998 | 1:30 pm | San Francisco |
| November 2, 1998 | 1:30 pm | San Francisco |

NOTICES

Delivery of Formal Pleadings for Filing

Unless otherwise directed, all *courier-delivered documents* submitted for filing as part of the formal record in a proceeding should be *hand-carried directly* to the Commission's Docket Office, Room 2001, 505 Van Ness Avenue in San Francisco; Room 5109, 107 South Broadway in Los Angeles; or Room 4006, 1350 Front Street in San Diego. All *documents sent through the mail* for formal filing should be addressed *ONLY* to the Commission's Docket Office, Room 2001, 505 Van Ness Avenue, San Francisco, CA 94102.

Charge for Commission Documents

To purchase Commission documents, there is a charge of 20 cents a printed page (postage prepaid) with a minimum purchase of \$2.00.

GLOSSARY

After January 1, 1998, the California Public Utilities Commission is required by statute (SB 960) to categorize each case that comes before it. There are three categories, quasi-legislative, adjudicatory and ratesetting. If a case does not require hearings before it is resolved, the case is removed from the SB 960 category requirements. The legend below shows the abbreviation for each of the categories and provides a brief explanation.

- Q** **Quasi-legislative** proceedings are proceedings that establish policy or rules (including generic ratemaking policy or rules) affecting a class of regulated entities, including those proceedings in which the Commission investigates rates or practices for an entire regulated industry or class of entities within the industry.
- A** **Adjudicatory** proceedings are: (1) enforcement investigations into possible violations of any provision of statutory law or order or rule of the Commission; and (2) complaints against regulated entities, including those complaints that challenge the accuracy of a bill, but excluding those complaints that challenge the reasonableness of rates or charges, past, present, or future.
- RS** **Ratesetting** proceedings are proceedings in which the Commission sets or investigates rates for a specifically named utility (or utilities), or establishes a mechanism that in turn sets the rates for a specifically named utility (or utilities). Ratesetting proceedings include complaints that challenge the reasonableness of rates or charges, past, present, or future.
- N/A** Removed from the SB 960 category requirements.

SUBSCRIPTION INFORMATION

Subscription Notice for Draft Agenda Items

In compliance with Public Utilities Code Section 311.5, parties who wish to subscribe to receive draft agenda items may do so by writing to the Public Utilities Commission; Attention: Poly Arca, Room 1003; 505 Van Ness Avenue; San Francisco, CA 94102; or by calling (415) 703-1798. The cost for a one-year subscription to the entire public agenda package (which excludes Executive Session materials) is \$1,000. You may also order a partial agenda package (energy agenda items only or telecommunication agenda items only) at the cost of \$500 per year. The package you receive via mail will include only those agenda items available at the time of the agenda distribution date, which is usually 10 to 12 days prior to the Commission meeting. If agenda items (including revisions) are not ready on the distribution date, they will be made available at no charge in the lobby outside the Commission Auditorium at 9:00 a.m. on the morning of the Commission meeting, but not earlier.

In addition, the Commission will make draft agenda items available for viewing and photocopying (at 20 cents per page) at the Commission's Central Files Office (Room 2002), 505 Van Ness Avenue, San Francisco, and in the Los Angeles, San Diego, and the following field offices: El Centro, Eureka, Sacramento and San Bernardino. Since the agenda package will be mailed to these locations, it will be available at these locations a day or two after the distribution date. These locations will not receive agenda items that are not ready on the distribution date.

If an agenda item is held over to a subsequent Commission meeting, that agenda item and any revisions to that agenda item that were available on the morning of the initial Commission meeting (as well as any further available revisions) will be mailed in the Escutia package for the subsequent Commission meeting; the item and its revisions will also be available for viewing and photocopying in the Commission's Central Files Office and field offices as set forth above.

Intervenors who have a financial hardship determination pending or granted shall be eligible to receive draft agenda item packets at no charge.

The cost to receive the agenda only, without copies of draft agenda items, remains at \$75 per year.

Subscription Notice for Daily Calendar and/or Agenda

Parties who wish to subscribe to the Daily Calendar and/or the Agenda may do so by writing to the Public Utilities Commission; Attention: Poly Arca, Room 1003; 505 Van Ness Avenue; San Francisco, CA 94102; or by calling (415) 703-1798. The subscription cost for the Daily Calendar is \$225 per year. The Biweekly Daily Calendar is \$50 per year. The Agenda is \$75 per year. Checks are to be made payable to the Public Utilities Commission.

COMMISSIONER OFFICE HOURS

(For further information or to make an appointment, please contact Sandra Graham at (213) 897-3544).

| <u>Date/Time</u> | <u>Commissioner</u> | <u>Location</u> |
|-------------------------|----------------------------|---|
| September 25, 1998 | Josiah L. Neepser | State Office Building, 1350 Front Street, Room 4006 San Diego |
| October 9, 1998 | Josiah L. Neepser | 107 South Broadway, Room 5109 Los Angeles |

PUBLIC MEETINGS & WORKSHOPS

Workshop Notice - Energy Efficiency Program Needs for Residential Retrofit

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| <i>September 17, 1998</i> <i>9:30 am - 4 pm</i> | <i>PG&E Energy Center</i> <i>851 Howard Street</i> <i>San Francisco</i> |
| <i>and</i> | |
| <i>September 18, 1998</i> <i>9 am - 3:30 pm</i> | |

The Technical Advisory Committee (TAC) to the California Board for Energy Efficiency will conduct a public workshop to collect input on desired program elements that would allow publicly funded energy efficiency programs to better serve the residential retrofit market. The contact person is Tom Eckhart, Phone: (425) 889-6485, Email: tom@ucons.com.

Workshop Notice

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|--|---|
| <i>September 22, 1998</i> <i>9:30 am - 4 pm</i> | <i>PG&E Energy Center</i> <i>851 Howard Street</i> <i>San Francisco</i> |
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The Technical Advisory Committee (TAC) to the California Board for Energy Efficiency will meet to discuss program planning issues for 1999, review and assessment of 1998 programs, the residential and nonresidential standard performance contract programs, third party programs, upstream and downstream market transformation programs, self-generation issues, and TAC subcommittee reports. The meeting is open to the public. The contact person is Steve Taber, (415) 457-1848.

Public Meeting

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| <i>September 22, 1998</i> <i>10 am - 5 pm</i> | <i>Pacific Gas and Electric Company Energy Center</i> <i>851 Howard Street (1 block west of the Moscone Center)</i> <i>San Francisco</i> |
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The Low Income Governing Board Advisory Committee (LIGBAC) will meet on the following agenda: Welcome and Introduction Chairperson's report, review meeting minutes, public comments, substantive program designs, other business. These meetings are open to the public. You can get the materials for this meeting by phoning the LIGBAC at 415 703-2565 and leaving a message with your name, phone and fax number at least 24 hours in advance of the meeting time.

Public Meeting

| | |
|--------------------------------------|--|
| September 23, 1998 8:30 am - 3 pm | Pacific Gas and Electric Company Energy Center 851 Howard Street (1 block west of the Moscone Center) San Francisco |
|--------------------------------------|--|

The Low Income Governing Board Advisory Committee (LIGBAC) will meet on the following agenda: Welcome and Introduction Chairperson's report, review meeting minutes, public comments, substantiative program designs, other business. These meetings are open to the public. You can get the materials for this meeting by phoning the LIGBAC at 415 703-2565 and leaving a message with your name, phone and fax number at least 24 hours in advance of the meeting time.

Public Meeting CORRECTED ADDRESS

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|---|--|
| September 23, 1998 9:30 am - 3:30 pm | Chicano Federation of San Diego County 610 - 22 nd Street (At Market and 22 nd Street) San Diego |
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The ULTS Marketing Board (ULTSMB) will hold its regular meeting to discuss the following: Review/Approve Meeting Minutes, Review/Approve Administrative Report and Action Items, Review/Approve Administrative Expenses, PUC Report and Action Items, Review/Approve 1998 Annual Report, Final Review/Approve ULTSMB 1999 Budget, Review ULTSMB Correspondence and ACR Comments, Review/Approve Proposed Interim Marketing Plan and Budget, Review Previous Studies and Data, Review/Approve Request for Proposals (RFP) for ULTSMB Interim Marketing Program Advertising, Announcements, Set Future Agenda Items for Discussion and Hear Public Comments. This meeting is open to the public. The Board reserves the right to limit the time allocated to public comments and each speaker. If you would like to join the meeting by phone conference or in person, and/or receive a full meeting packet, please notify the ULTS Trust Office at (510) 452-2757.

Workshop Notice

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|-----------------------------|--|
| September 23, 1998 10 am | Pacific Gas and Electric Company 77 Beale Street, Room 2420 San Francisco |
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The Utilities Safety Branch staff will conduct a workshop to address the development and expansion of programs to increase public education and awareness of the hazards of the proximity of trees and vegetation to utility overhead power lines. The workshop is open to the public and meeting room is wheelchair accessible. For more information contact Fadi Daye at (213) 897-8420 or Byron Shovlain at (619) 525-4741.

Workshop Notice

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|---------------------------------------|--|
| September 24, 1998 8:30 am - 12 Pm | Pacific Energy Center 851 Howard Street (1 block west of Moscone Center) San Francisco |
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The California Board for Energy Efficiency (CBEE) will conduct a public workshop to address issues associated with its advice letter filing for Program Year (PY 99) programs, including definition and inclusion of self-generation in PY99 programs, and recommendations for new or revised programs. The workshop will be facilitated by the CBEE's technical consultants. The workshop is open to the public and the room is wheelchair accessible. The contact person is Sara Steck Myers, (415) 387-1904. For further details about CBEE and this meeting consult the CBEE Web Page at www.cbee.org.

Public Meeting

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|-------------------------------------|--|
| September 24th 1998 12 pm - 5 pm | Pacific Energy Center 851 Howard Street (1 block west of Moscone Center) San Francisco |
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Agenda items for this meeting include discussion and potential resolution of the following topics: Efforts to secure support services for CBEE; the status of the Request for Proposals for Energy Efficiency Program Administrators (D. 98-07-036); follow up on requests emanating from the Sept 15th prehearing conference, draft reports produced as part of the CBEE program planning process for 1999; CBEE expectations for Interim Administrators' third quarterly status report, CBEE work plans, technical consultant work plans, and schedules, issues related to utility assets and liabilities, verification, measurement and assessment functions, and other reporting requirements, and the Technical Advisory Committee and Board operational matters. The contact person is Sara Steck Myers, (415) 387-1904. For further details about CBEE and this meeting consult the CBEE Web Page at www.cbee.org.

Public Meeting

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|---|--|
| September 24, 1998 1:30 pm - 4:30 pm | Deaf and Disabled Telecommunications Program 1939 Harrison Street Conference Room, Suite 555 Oakland |
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The Speech-to-Speech Sub-Committee of the Deaf and Disabled Telecommunications Program will hold a meeting. For more information about the meeting, or if you plan to attend the meeting and need sign language interpretation or real-time captioning, contact Elana Kalisher at (510) 874-1410 VOICE or (510) 874-1411 TTY. Environmental Reminder: Please refrain from wearing perfumes or scents to DDTP meetings, because people with environmental illness or multiple chemical sensitivity must reduce their exposure in order to attend.

Workshop Notice

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|----------------------------|--|
| September 25, 1998 9 am | California Public Utilities Commission 505 Van Ness Avenue Commission Auditorium San Francisco |
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Pursuant to D.97-10-086, Ordering Paragraph 7, and D.97-12-131, Ordering Paragraph 7.c., the Energy Division staff will conduct a workshop to discuss with the Utility Distribution Companies (UDCs) and other interested persons the following issues related to load profiling: To assess the impacts of requiring metering for customers with maximum demands between 20 and 50 kW, to determine whether the exemption allowing load profiles for 20 to 50 kW customers should continue past January 1, 1999, to examine any inconsistencies in the 20 kW load profile cut-off points. The workshop is open to the public and the Commission Auditorium is wheelchair accessible. For more information contact Steve Roscow of the Energy Division (phone: 415-703-2818). A complete copy of the Notice of Workshop may be obtained from the Commission's website at:

<http://162.15.5.2:80/wk-group/dai/lp/>

Public Meeting

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|-----------------------------------|--|
| September 25, 1998 9 am - 4 pm | Pacific Energy Center 851 Howard Street (1 block west of Moscone Center) San Francisco |
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This meetings is a continuation of the California Board for Energy Efficiency meeting of September 24th, 1998. The agenda items listed below but not covered on September 24th will be continued and heard at this meeting on September 25th. Agenda items for the two day meetings include discussion and potential resolution of the following topics: Efforts to secure support services for CBEE; the status of the Request for Proposals for Energy Efficiency Program Administrators (D. 98-07-036); follow up on requests emanating from the Sept 15th prehearing conference, draft reports produced as part of the CBEE program planning process for 1999; CBEE expectations for Interim Administrators' third quarterly status report, CBEE work plans, technical consultant work plans, and schedules, issues related to utility assets and liabilities, verification, measurement and assessment functions, and other reporting requirements, and the Technical Advisory Committee and Board operational matters. The contact person is Sara Steck Myers, (415) 387-1904. For further details about CBEE and this meeting consult the CBEE Web Page at www.cbee.org.

Workshop Notice (NUMBER POOLING)

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|-----------------------------------|---|
| September 25, 1998 9 am - 5 pm | California Public Utilities Commission 505 Van Ness Avenue San Francisco |
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The Telecommunications Division of the California Public Utilities Commission will be holding a technical workshop on the efficient utilization of numbering resources. Number pooling offers the potential to reduce NXX demand by enabling multiple carriers to share numbers from a single NXX code. A workshop is scheduled to initiate a plan to implement number pooling within California in cooperation with the program underway at the national level. The September 25, 1998 initial workshop will address the formation of a number pooling task force and develop administrative protocol for the ongoing operation of the Task Force and for the submission of progress reports to the Commission.

Participants should come prepared to nominate persons to the Task Force, develop the structure of the Task Force, define the mission of the Task Force, and deal with self-governance issues such as voting membership, multiple chairmanship, rotation of meeting locations, the taking of minutes and the filing of said minutes with the Commission, and other housekeeping issues that may arise. Please RSVP by September 23, 1998 to Mary Jo Borak, at 415/703-1879, Email: BOR@CPUC.CA.GOV or Risa Hernandez at 415/703-5331, Email: RHH@CPUC.CA.GOV

Public Meeting

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| <p>September 25, 1998 10 am - 4 pm</p> | <p><i>Deaf and Disabled Telecommunications Program 1939 Harrison Street DDTP Conference Room, Suite 555 Oakland</i></p> |
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The California Relay Service Advisory Committee of the Deaf and Disabled Telecommunications Program will hold its regular monthly meeting. For more information about the meeting, or if you plan to attend the meeting and need sign language interpretation or real-time captioning, contact Elana Kalisher at (510) 874-1410 VOICE or (510) 874-1411 TTY. Environmental Reminder: Please refrain from wearing perfumes or scents to DDTP meetings, because people with environmental illness or multiple chemical sensitivity must reduce their exposure in order to attend.

Public Meeting

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| <p>September 28, 1998 10 am - 4 pm</p> | <p><i>Deaf and Disabled Telecommunications Program 1939 Harrison Street DDTP Conference Room, Suite 555 Oakland</i></p> |
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The Administrative Committee of the Deaf and Disabled Telecommunications Program will hold its regular monthly meeting. For more information about the meeting, or if you plan to attend the meeting and need sign language interpretation or real-time captioning, contact Elana Kalisher at (510) 874-1410 VOICE or (510) 874-1411 TTY. Environmental Reminder: Please refrain from wearing perfumes or scents to DDTP meetings, because people with environmental illness or multiple chemical sensitivity must reduce their exposure in order to attend.

Workshop Notice

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| <p>September 28 & 29, 1998 10 am – 4 pm</p> <p><u>Conference Call Information</u> September 28, 1998 dial in to (415) 356-0657 Passcode = 2408347#</p> <p>September 29, 1998 dial in to (303) 633-1880 Passcode = 2408347#</p> | <p><i>PG&E Energy Center 851 Howard Street HVAC Room San Francisco</i></p> <p><i>Note: If you experience problems trying to access this conference call please contact Confertech at 1-800-525-8244 and have them verify the Dial-in # and Passcode scheduled under Master Reservation #4590512 for CH2M HILL (Sharon Weinberg is the designated Chairperson)</i></p> |
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The Low Income Governing Board will meet to discuss the following topics: report from the Chair, report on legislation (AB2461) and legal matters, subcommittee reports, direction to consultants, review and approval of meeting minutes, financial report, advisory committee report, address issues and comments related to the LIGB’s milestone schedule, issues related to the LIGB’s proposed schedule and process for transferring utility assets, liability, case flow and financial controls, LIGB operating budget for 1999, contractual and legal issues (closed session). An agenda for the meeting is being developed and can be obtained from the LIGB’s website at www.ligb.org. The meeting is open to the public; **however, this meeting may include a closed session to discuss legal and contractual issues.** For more information contact Sharon Weinberg at (510) 251-2888, extension 2025.

Public Meeting

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| <p>September 30, 1998 10 am - 3 pm</p> | <p><i>Deaf and Disabled Telecommunications Program 1939 Harrison Street DDTP Conference Room, Suite 555 Oakland</i></p> |
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The DDTP HANDS FREE CORDLESS PHONE (HFCP) SUB-COMMITTEE of the Deaf and Disabled Telecommunications Program will hold a meeting. The HFCP Sub-committee will meet to develop specifications for acquiring 900 MHz cordless hands free phones. For more information about the meeting, or if you plan to attend the meeting and need sign language interpretation or real-time captioning, contact Elana Kalisher at (510) 874-1410 VOICE or (510) 874-1411 TTY. **Environmental Reminder:** Please refrain from wearing perfumes or scents to DDTP meetings, because people with environmental illness or multiple chemical sensitivity must reduce their exposure in order to attend.

Public Meeting

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|---------------------------------|---|
| October 2, 1998 9 am - 12 pm | Deaf and Disabled Telecommunications Program 1939 Harrison Street DDTP Conference Room, Suite 555 Oakland |
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The FINANCE SUB-COMMITTEE of the Deaf and Disabled Telecommunications Program will hold a meeting. For more information about the meeting, or if you plan to attend the meeting and need sign language interpretation or real-time captioning, contact Elana Kalisher at (510) 874-1410 VOICE or (510) 874-1411 TTY. Environmental Reminder: Please refrain from wearing perfumes or scents to DDTP meetings, because people with environmental illness or multiple chemical sensitivity must reduce their exposure in order to attend.

Public Meeting

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|---------------------------------|---|
| October 6, 1998 10 am - 4 pm | Deaf and Disabled Telecommunications Program 1939 Harrison Street DDTP Conference Room, Suite 555 Oakland |
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The Administrative Committee of the Deaf and Disabled Telecommunications Program will hold its regular monthly meeting. For more information about the meeting, or if you plan to attend the meeting and need sign language interpretation or real-time captioning, contact Elana Kalisher at (510) 874-1410 VOICE or (510) 874-1411 TTY. Environmental Reminder: Please refrain from wearing perfumes or scents to DDTP meetings, because people with environmental illness or multiple chemical sensitivity must reduce their exposure in order to attend.

Public Meeting

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|--------------------------------------|---|
| October 8, 1998 9:30 am - 3:30 pm | Deaf and Disabled Telecommunications Program 1939 Harrison Street DDTP Conference Room, Suite 555 Oakland |
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The Equipment Program Advisory Committee of the Deaf and Disabled Telecommunications Program will hold its regular monthly meeting. For more information about the meeting, or if you plan to attend the meeting and need sign language interpretation or real-time captioning, contact Elana Kalisher at (510) 874-1410 VOICE or (510) 874-1411 TTY. Environmental Reminder: Please refrain from wearing perfumes or scents to DDTP meetings, because people with environmental illness or multiple chemical sensitivity must reduce their exposure in order to attend.

Public Meeting

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| <i>October 15, 1998</i> <i>9 am - 4:30 pm</i> Electric Education Trust | <i>Holiday Inn (Presidential Room)</i> <i>275 S. Airport Blvd.</i> South San Francisco |
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The Administrative Committee of the Electric Education Trust (EET) meets to discuss and implement a CBO outreach (grant) program and an educational efforts plan, to address comments to the proposed plans filed pursuant to Decision 98-07-098, and to consider related matters. The contact person is William Schulte at (415) 703-2349.

Public Meeting

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| <i>October 23, 1998</i> <i>10 am - 4 pm</i> | <i>Deaf and Disabled Telecommunications Program</i> <i>1939 Harrison Street</i> <i>DDTP Conference Room, Suite 555</i> Oakland |
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The California Relay Service Advisory Committee of the Deaf and Disabled Telecommunications Program will hold its regular monthly meeting. For more information about the meeting, or if you plan to attend the meeting and need sign language interpretation or real-time captioning, contact Elana Kalisher at (510) 874-1410 VOICE or (510) 874-1411 TTY. Environmental Reminder: Please refrain from wearing perfumes or scents to DDTP meetings, because people with environmental illness or multiple chemical sensitivity must reduce their exposure in order to attend.

Public Meeting

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|--|--|
| <i>November 3, 1998</i> <i>10 am - 4 pm</i> | <i>Deaf and Disabled Telecommunications Program</i> <i>1939 Harrison Street</i> <i>DDTP Conference Room, Suite 555</i> Oakland |
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The Administrative Committee of the Deaf and Disabled Telecommunications Program will hold its regular monthly meeting. For more information about the meeting, or if you plan to attend the meeting and need sign language interpretation or real-time captioning, contact Elana Kalisher at (510) 874-1410 VOICE or (510) 874-1411 TTY. Environmental Reminder: Please refrain from wearing perfumes or scents to DDTP meetings, because people with environmental illness or multiple chemical sensitivity must reduce their exposure in order to attend.

Public Meeting

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| <i>November 12, 1998</i> <i>9:30 am - 3:30 pm</i> | <i>Deaf and Disabled Telecommunications Program</i> <i>1939 Harrison Street</i> <i>DDTP Conference Room, Suite 555</i> Oakland |
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The Equipment Program Advisory Committee of the Deaf and Disabled Telecommunications Program will hold its regular monthly meeting. For more information about the meeting, or if you plan to attend the meeting and need sign language interpretation or real-time captioning, contact Elana Kalisher at (510) 874-1410 VOICE or (510) 874-1411 TTY. Environmental Reminder: Please refrain from wearing perfumes or scents to DDTP meetings, because people with environmental illness or multiple chemical sensitivity must reduce their exposure in order to attend.

Public Meeting

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| November 20, 1998 10 am - 4 pm | <i>Deaf and Disabled Telecommunications Program 1939 Harrison Street DDTP Conference Room, Suite 555 Oakland</i> |
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The California Relay Service Advisory Committee of the Deaf and Disabled Telecommunications Program will hold its regular monthly meeting. For more information about the meeting, or if you plan to attend the meeting and need sign language interpretation or real-time captioning, contact Elana Kalisher at (510) 874-1410 VOICE or (510) 874-1411 TTY. Environmental Reminder: Please refrain from wearing perfumes or scents to DDTP meetings, because people with environmental illness or multiple chemical sensitivity must reduce their exposure in order to attend.

NEW FILINGS

| | | |
|---------|------------|--|
| 9/14/98 | A98-09-021 | County of Kern, State of California, to construct a public street across the railroad tracks of the San Joaquin Valley Railroad Company in County of Kern, State of California |
| 9/15/98 | A98-04-050 | Amendment- Southern California Edison Company, for order approving agreements restructuring the negotiated parallel generation agreement between Southern California Edison Company and Sunlaw Cogeneration Partners I; to reflect an amendment to the execution agreement modifying the payment schedules |
| 9/15/98 | A98-04-050 | Second Amendment- Southern California Edison Company, for order approving agreements restructuring the negotiated parallel generation agreement between Southern California Edison Company and Sunlaw Cogeneration Partners I; reflects the terms of a second amendment to the execution agreement between Edison and Citizens Power LLC |

PETITIONS FOR MODIFICATION AND APPLICATIONS FOR REHEARING

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|---------|-------------------|--|
| 9/8/98 | I87-11-033 | CORRECTION FOR THE 9/16/98 DAILY CALENDAR. Commission investigation into alternative regulatory frameworks for local telecommunications exchange carriers, and |
| | A85-01-034 | Pacific Bell, general rate increase for telephone service in the amount of \$1,362,000,000, intrastate, and |
| | A87-01-002 | General Telephone Co. of California, general rate increase for telecommunications services of approximately \$52,133 million, intrastate, and< |
| | I85-03-078 | Commission investigation into rates, etc., of Pacific Bell re: interconnection, and |
| | I87-02-025 | Commission investigation into rates, etc., of General Telephone Co of California & Pacific Bell, and |
| | C87-07-024 | General Telephone Co of California vs Wang Communications Inc, for cease and desist order directing defendant to refrain from commencing service in City of Industry without Commission authority, etc.; Petition for Modification of D97-04-083 by AT&T Communications of California, Inc. |
| 9/8/98 | R98-01-011 | Commission Order Instituting Rulemaking, on the Commission's own motion to assess and revise the regulatory structure governing California's natural gas industry; Application for Rehearing of D98-08-030 by Southern California Gas Company and San Diego & Electric Company |
| 9/14/98 | A96-03-031 | Southern California Gas Company, for authority to revise its rates effective 1/1/97, in its Biennial Cost Allocation Proceeding, for a total reduction in annual revenue of approximately \$147.9 million (5.7%), and |
| | A96-04-030 | San Diego Gas & Electric Company, for authority to revise its rates effective January 1, 1997 in its Biennial Cost Allocation Proceeding for an approximately \$42 million decrease over presently authorized revenues; Application for Rehearing D98-07-100 by Southern California Gas Company |
| 9/14/98 | | Application for Rehearing D98-07-100 by Southern California Edison Company |

9/14/98

Application for Rehearing D98-07-100 by Southern California Utility Power Pool and Imperial Irrigation District

9/16/98

C97-12-019

William Firschein, AIA vs. Continental Cablevision/Media One, for refusing to monitor and/or to verify the levels of electromagnetic radiation due to faulty equipment or installations; **Application for Rehearing of D98-09-007 by William Firschein**

DRAFT DECISIONS * PROPOSED DECISIONS * ALTERNATES * PRESIDING OFFICER'S DECISION * ARBITRATOR'S REPORTS

NONE

ADVICE LETTER FILINGS

NONE

MISCELLANEOUS TRANSPORTATION ITEMS

September 17, 1998

Filings with Rail Safety and Carriers Division

NONE

MISCELLANEOUS TELECOMMUNICATION MATTERS

September 17, 1998

NONE

ADJOURNMENTS * RESETTINGS * SUBMISSIONS

| | |
|--------------------------|--|
| A97-12-020 I97-11-026 | Wetzell-Pacific Gas and Electric Company for authority to increase rates and charges for electric and gas service, and related matter, Evidentiary Hearing held and continued to September 17 |
| A95-10-024 | Econome-Pacific Gas and Electric Company, for authorization to implement a plan of reorganization, Evidentiary Hearing held and continued to September 17 |
| A98-01-014 | Minkin-San Diego and Electric Company for authority to implement a distribution performance based ratemaking mechanism, Evidentiary Hearing held and submitted on Reply Briefs due October 23 |
| A96-03-031 A96-04-030 | Gottstein-Southern California Gas Company for authority to revise its rates in its BCAP, and related matter, Prehearing Conference held and completed |

REMOVALS FROM CALENDAR

NONE

NEW SETTINGS

| | | |
|---------------------------------------|--------------------------|--|
| 10/1/98 ALJ McVicar Comr Neeper | 10:00 a.m. A98-07-034 | (PHC)-Guerdon L. Churchill, for a certificate of public convenience and necessity to construct a Public Utility Sewer System near Valley Springs in Calaveras County, Commission Courtroom, San Francisco |
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LAW AND MOTION

Law and Motion Hearings are held before Administrative Law Judge Steven Kotz at 9:30 am in one of the Commission's San Francisco Office Hearing Rooms, unless otherwise noted. Law and Motion procedures are governed by Resolution ALJ 164. Copies of Resolution ALJ 164 are available from the Commission's Documents Desk (415) 703-1713 or from Central Files (415) 703-2045

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| 9/22/98 | 9:30 a.m. | NONE SCHEDULED |
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| 9/29/98 | 9:30 a.m. | NONE SCHEDULED |
| 10/6/98 | 9:30 a.m. | NONE SCHEDULED |

HEARINGS

Dates in parentheses following the word “also” are subject to change without notice. the assigned Commissioner’s name is listed next to the proceedings as matter of record; the assigned Commissioner may not be present at the hearing.

(PHC) = Prehearing Conference

(EH) = Evidentiary Hearing

(PPH) = Public Participation Hearing

(IAM) = Initial Arbitration Meeting

(M) = Mediation

(FOA) = Final Oral Argument

(WS) = Workshop

(FPH) = Full Panel Hearing

(AH) = Arbitration Hearing

(CA) = Closing Argument

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| 9/17/98 | 9:00 a.m. | (EH) -Pacific Gas and Electric Company for authority to increase rates and charges for electric and gas service effective 1/1/99, |
| ALJ Wetzell | A.97-12-020 | |
| Comr Bilas | I.97-11-026 | (EH) -Commission Order Instituting Investigation into the out of service status of Pacific Gas and Electric Company’s El Dorado hydroelectric project and the need to reduce electric rates related to this non-functioning electric generating facility Commission Courtroom, Hearing Room A, San Francisco (also September 18, September 21-25, September 28-October 2, October 5-9, October 13-16, December 14-18, San Francisco) |
| 9/17/98 | 9:00 a.m. | (EH) -Pacific Gas and Electric Company, for authorization to implement a plan of reorganization which will result in a holding company structure, |
| ALJ Econome | A.95-10-024 | Commission Courtroom, San Francisco; (also September 18, (Closing Argument before Assigned Commissioner) for 9:00 am, November 24) |
| Comr Neeper | | |
| 9/21/98 | 1:00 p.m. | (PHC) -San Diego Gas & Electric Company, for authority to recover ISO-PX implementation delay memorandum account costs and to establish the reasonableness of certain utility operations and expenses, |
| ALJ Wright | A98-06-048 | Commission Courtroom, San Francisco |
| Comr Duque | | |

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| 9/21/98 ALJ Bushey Comr. Duque | 2:00 p.m. C.98-05-043 | (PHC) -Bert L. Tate vs. Pacific Telesis for violation of its tariffs and provisions of the Public Utility Code by improper installation of the second telephone line, Commission Courtroom, San Francisco |
| 9/22/98 ALJ Ryerson Comr. Duque | 10:00 a.m. C.98-06-032 | (PHC) -Shannon Lightfoot vs. Pacific Gas and Electric Company to remove electric pole at PG&E's expense, Telephone Conference, San Francisco |
| 9/22/98 ALJ Rosenthal Comr Duque | 9:30 a.m. I.98-07-039 A.97-10-069 | (PHC) -Commission Instituting Investigation into the operations of Mark K. Sneed and Jose Luis-Ayala-Aroche a partnership dba El Corre Caminos (PHC) -Jose Luis Ayala-Aroche dba El Corre Caminos to acquire and Mark K. Sneed and Jose Luis Ayala Aroche, a partnership dba El Correo Caminos, to transfer a certificate of public convenience and necessity to operate as a passenger stage corporation and certain other assets, Commission Courtroom, San Francisco |
| 9/23/98 ALJ Rosenthal Comr Conlon | 9:30 a.m. A.98-06-051 | (PHC) -Isam M. Alziq to transfer and A & M United Group, LLC to acquire a certificate of public convenience and necessity and certain other assets, Commission Courtroom, San Francisco |
| 9/23/98 ALJ Kenney Comr Knight | 10:00 a.m. R.95-01-020 I.95-01-021 | (PHC) -Commission Order Instituting Rulemaking to address the requirements of Assembly Bill 3643 and to develop new rules regarding Universal Service, (PHC) -Investigation on the Commission's Own Motion into Universal Service and to comply with the mandates of Assembly Bill 3643, Commission Courtroom, San Francisco |
| 9/23/98 ALJ Walker Comr Duque | 10:00 a.m. A98-03-029 A98-03-030 A98-03-031 | (OA) -Southern California Water Company for authority to increase rates by \$661,700 or 34.51% by 1999; by \$249,000 or 9.71% in 2000; and by \$258,800, or 9.19% in 2001 in Desert District, and (OA) -Southern California Water Company for authority to increase rates by \$1,292,300 or 11.34% in 1999; \$279,700 or 2.20% in 2000, and \$313,300 or 2.41% in 2001 in the San Dimas District, and (OA) —Southern California Water Company for authority to increase rates by \$1,193,900 or 25.84% in 1999; \$160,800 or 2.78% in 2000; and \$190,600 or 3.22% in 2001 in the San Gabriel Valley District . and |

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| | A98-03-032 | (OA)-Southern California Water Company for authority to increase rates by \$3,286,200 or 17.48% in 1999; \$1,120,200 or 5.06% in 2000, and \$1,199,340 or 5.13% in 2001 Orange District, and |
| | A98-03-033 | (OA)-Southern California Water Company for authority to increase rates for water service in its Ojai customer service area and increase rates for the General Office Allocation in all of its customer service areas in this application including: Arden-Cordova, Bay Point, Clearlake, Los Osos, Santa Maria, Simi Valley, Claremont, Barstow, Calipatria, Wrightwood, and Bear Valley Electric, and |
| | A98-03-034 | (OA)-Southern California Water Company for authority to increase rates by \$13,141,800 or 22.86% in 1999; \$3,262,300 or 4.64% in 2000, and \$3,455,200 or 4.70% in 2001 in Metropolitan District. Commission Courtroom, San Francisco |
| 9/23/98 ALJ Minkin Comr Neeper | 7:00 p.m. A.98-01-014 | (PPH)-San Diego Gas and Electric Company for authority to implement a distribution performance based ratemaking mechanism, Council Chamber, 12th Floor, City Administration Building, 202 C Street, San Diego, (also September 24, 7:00 p.m., Council Chamber, City Hall, 201 N. Broadway, Escondido |
| 9/24/98 ALJ DeUlloa Comr Neeper | 10:00 a.m. A.98-08-001 A.98-07-035 | (PHC)-Airporter Inc., dba Santa Rosa Airporter, for authority to amend and modify its passenger certificate by removing the "By Reservation Only" restriction for the cities of Novato, Marinwood, Terra Linda, San Rafael, Corte Madera, and Mill Valley, Airporter, Inc. dba Santa Rosa Airporter to amend its authority to operate as a passenger stage corporation between Caltrans' Park and Ride Stop, at Rowland Boulevard and U.S. Highway 101 and the San Francisco and Oakland International Airports, Commission Courtroom, San Francisco |
| 9/25/98 ALJ Pulsifer Comr Conlon | 9:00 a.m. R.95-04-043 I.95-04-044 | (WS)-Order Instituting Rulemaking on the Commission's Own Motion into Competition for Local Exchange Service, (WS)-Order Instituting Investigation on the Commission's Own Motion into Competition for Local Exchange Service, Commission Training Room, San Francisco (also |

October 16, November 13)

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| 9/25/98 ALJ Bushey Comr Duque | 10:00 a.m. I98-08-004 | (PHC) -Commission Order Instituting Investigation, into the operations, practices, and conduct of Coral Communications, Inc. (Coral) and Michael Tinari, President of Coral; William Gallo, Senior Vice President of Coral; Devon Porcella, Vice President of Sales and Operations of Coral; Neal Deleo, Vice President Finance and MIS of Coral to determine whether the corporation or its principals have operated within California without having a certificate to operate from the Commission and whether they have charged California subscribers for telecommunications services the subscribers never authorized, Commission Courtroom, San Francisco |
| 9/28/98 ALJ McVicar Comr Duque Comr Neeper | 10:00 a.m. I.98-09-007 | (PHC) -Commission Order Instituting Investigation into the operations and practices of Pacific Gas and Electric Company in connection with compliance with PU Code Section 451, General Order 95, and other applicable standards governing tree-line clearances, Commission Courtroom, San Francisco |
| 9/28/98 ALJ Barnett Comr Duque | 10:00 a.m. A98-05-019 | (EH) -San Diego Gas & Electric Company for authority to increase its authorized return on common equity, to adjust its existing ratemaking capital structure, to adjust its authorized embedded costs of debt and preferred stock, to decrease its overall rate of return, and to revise its electric distribution and gas rates accordingly, |
| | A98-05-021 | (EH) -Pacific Gas and Electric Company for authority to establish its authorized rates of return on common equity for electric distribution and gas distribution, and establish its unbundled rates of return for calendar year 1999 for electric distribution and gas distribution, |
| | A98-05-024 | (EH) -Southern California Edison Company for consideration of unbundled rate of return on common equity, capital structure, cost factors, for embedded debt and preferred stock, and overall rate of return for utility operations, Commission Courtroom, San Francisco (also, September 29-30; October 1-14, San Francisco) |

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| 9/28/98 | 10:00 a.m. | (EH) -Rulemaking on the Commission's own motion into competition for local exchange service, and |
| ALJ Pulsifer | R95-04-043 | |
| Comr Conlon | I95-04-044 | (EH) -Investigation on the Commission's own motion into competition for local exchange service, Commission Courtroom, San Francisco (also September 29 and 30, and October 1 and 2, San Francisco) |
| 9/28/98 | 2:00 p.m. | (PHC) -The Utility Consumers' Action Network vs. MCI Metro Access Transmission Services, Inc., for unlawful pricing and billing practices, unlawful instances of slamming; and violations of privacy, Commission Courtroom, San Francisco |
| ALJ Bushey | C.98-06-016 | |
| Comr Neeper | | |
| 9/29/98 | 2:00 p.m. | (PHC) -San Diego Gas and Electric Company and Southern California Gas Company for approval of a gas transmission service tariff, Commission Courtroom, San Francisco |
| ALJ Weissman | A.98-07-005 | |
| Comr Bilas | | |
| 9/30/98 | 10:00 a.m. | (PHC) Michael Monasky, et. al. vs. Citizens Communications for failure to identify measured service calls and to justify high bills, California Energy Commission, Second Floor Conference Room, 1516 Ninth St., (corner of P St.) Sacramento |
| ALJ Bushey | C.98-03-008 | |
| Comr Neeper | | |
| 9/30/98 | 2:00 p.m. | (PHC) -Commission's rulemaking to consider the line extension rules of electric and gas utilities, (PHC) -Utility Design, Inc. and Utility Contractors, Inc. vs. Pacific Gas and Electric Company, that defendant is engaging in anti-competitive activities re installation of gas and electric line extensions, Commission Courtroom, San Francisco |
| ALJ Patrick | R.92-03-050 | |
| Comr Bilas | C.89-10-054 | |
| 10/1/98 | 10:00 a.m. | (PHC) -Guerdon L. Churchill, for a certificate of public convenience and necessity to construct a Public Utility Sewer System near Valley Springs in Calaveras County, Commission Courtroom, San Francisco |
| ALJ McVicar | A98-07-034 | |
| Comr Neeper | | |
| 10/1/98 | 10:00 a.m. | (EH) -The Home Owners Association of Lamplighter vs. The Lamplighter Mobile Home Park, et al for improper charges for capital improvements to a submetered system beyond what Lamplighter Mobile receives through the submetering discount, State Office Building, 50 D Street, Santa Rosa |
| ALJ Weissman | C.98-02-045 | |
| Comr Conlon | | |

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| 10/1/98 ALJ DeUlloa Comr Knight | 10:00 a.m. C.98-03-049 | (EH) -Leo Ferrick on behalf of the Laguna Shores Vacation Plan Owners Association vs. General Telephone for improperly charging commercial rates for residential customers, City Hall, Council Chamber, 200 South Anaheim Blvd., Anaheim, California |
| 10/1/98 ALJ Patrick Comr Conlon | 2:00 p.m. A98-05-014 A.98-05-022 | (PHC) -Southern California Edison Company to report on the valuation process for certain generation-related assets pursuant to D.97-11-074, (PHC) -Application of Pacific Gas and Electric Company to report assessment of inventory balances and to address appraisal of retained generation assets, Commission Courtroom, San Francisco |
| 10/2/98 ALJ Bushey Comr Neeper | 10:00 a.m. C.98-04-004 C.98-06-003 C.98-06-027 | (PHC) -The Utility Consumers' Action Network vs. Pacific Bell for unlawful and deceptive sales program and practices, (PHC) -The Greenlining Institute and Latino Issues Forum vs. Pacific Bell, for deceptive sales practices, false and deceptive advertising, unfair competition and invasion of privacy, (PHC) -The Utility Consumers' Action Network vs. Pacific Bell for unlawful marketing and education of the Caller ID and related services, Commission Courtroom, San Francisco |
| 10/2/98 ALJ Walker Comr. Duque | 10:00 a.m. C.97-09-056 | (PHC) -Marna An Powell and Donna M. Hufford vs. GTE Northwest dba GTE West Coast for enlargement of the 488 prefix to include a toll free one-way extended area services, (EH for 11:00 a.m.) Orick Community Center, 101 Swan Road, Orick |
| 10/5/98 ALJ Minkin Comr Conlon | 10:00 a.m. C.98-04-037 | (PHC) -Universal Studios, Inc., vs. Southern California Edison Company for non-compliance with AB-1890 for improper transition charges, Telephone Conference, San Francisco |

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| 10/8/98 ALJ Minkin Comr Bilas | 2:00 p.m. A.98-05-004 A.98-05-006 A.98-05-015 | (PHC) -Pacific Gas and Electric Company to establish the eligibility and seek recovery of certain electric industry restructuring implementation costs as provided for in Public Utilities Code Section 376, (PHC) -San Diego Gas and Electric Company for (1) a determination of eligibility for recovery under Public Utilities Code section 376 of certain cost categories and activities, (2) a finding of reasonableness of the costs incurred through 12/31/97, (3) approval of an audit methodology for verifying the eligibility of section 376 costs for recovery from 1998 through 2001, and (4) approval of a section 376 balancing account mechanism to recover eligible costs, (PHC) -Southern California Edison Company to address restructuring implementation costs pursuant to Public Utilities Code section 376 in compliance with Ordering Paragraph 18 of D97-11-074, Commission Courtroom, San Francisco (also (EH) 10:00 a.m., October 19-29; (EH and CA) 9:00 a.m., October 30) |
| 10/19/98 ALJ Gottstein Comr Neeper | 10:00 a.m. A.98-06-045 | (EH) -San Diego Gas and Electric Company for authority to revise line loss factors for energy payments to qualifying facility generators, Commission Courtroom, San Francisco (also for 9:00 a.m., October 20-21) |
| 10/22/98 ALJ Barnett Comr Knight | 9:00 a.m. C.98-05-055 | (EH) -Richard Minetto vs. Sierra Pacific Power Company and Sierra Pacific Energy Company for violations of the affiliate transaction rules of the Commission's Rulemaking R97-04-011, City Hall, Council Chamber, Second Floor, 490 Center St., Reno |
| 10/22/98 ALJ DeUlloa Comr Duque | 10:00 a.m. C.98-07-033 | (EH) -Digital Cellular, Inc., vs. AirTouch Cellular for failure to convert the customer base in a timely and appropriate manner, Commission Courtroom, Los Angeles (also October 23) |
| 11/2/98 ALJ Gottstein Comr Neeper | 10:00 a.m. A.98-05-001 | (EH) -Application of Pacific Gas and Electric Company for approval of demand-side management shareholder incentives for 1997 program year accomplishments and second claim for incentives for 1996 program year accomplishments, |

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| | A98-05-005 | (EH)-San Diego Gas & Electric Company to increase its gas and electric revenue requirements to reflect its accomplishments for demand-side management program years 1996 and 1997 in the 1998 annual earnings assessment proceeding, |
| | A.98-05-013 | (EH)-Southern California Edison Company for approval of demand-side management shareholder incentives for 1997 program year accomplishments and the second installment of shareholder incentives for the 1996 program year, |
| | A.98-05-018 | (EH)-Southern California Gas Company for authority to increase its gas revenue requirements to reflect its accomplishments for demand-side management program years 1994, 1995, and 1996 in the 1997 annual earnings assessment proceeding Commission Courtroom, San Francisco (also for 9:00 a.m., November 3-5, 10:00 a.m., November 9, 9:00 a.m., November 10-13; (CA) 10:00 a.m., December 8 |
| 11/3/98 ALJ Walker Comr Conlon | 10:00 a.m. A.96-11-007 | (EH)-Southern California Water Company to increase rates in order to recover costs resulting from participation in the State Water Project under contract with the Central Coast Water Authority and other related costs to deliver water in its Santa Maria District, Commission Courtroom, San Francisco (also November 4-6) |
| 11/4/98 ALJ Galvin Comr Duque | 7:00 p.m. A.98-05-038 | (PPH)-In the matter of the application of Pacific Bell for authority for pricing flexibility and to increase prices of certain operator services, to reduce the number of monthly directory assistance call allowances, and adjust prices for four centrex optional features, Council Chambers, 12th Floor, City Administration Building, 202 C Street, San Diego (also November 17, Ted C. Wills Community Center, 770 North San Pablo Avenue, Fresno; November 18, San Jose Unified School District, Board Room, 855 Lenzen Avenue, San Jose; November 24, Council Chambers, Room 247, 100 North Garfield Avenue, Pasadena; November 30, County Board Chamber, 700 H St., Suite 1450, Sacramento, Parking A & G; (EH) 10:00 a.m., December 7-9, Commission Courtroom, San Francisco) |

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| 11/16/98 ALJ Pulsifer Comr Neeper | 10:00 a.m. C.98-04-046 | (EH) -Pac-West Telecomm, Inc., vs. Evans Telephone Company and Volcano Telephone Company for unlawful acts of charging toll rates for local calls placed by their customers to complainant Pac-West customers, Commission Courtroom, San Francisco (also November 17-19) |
| 11/16/98 ALJ Walker Comr Neeper. | 10:00 a.m. C.98-05-054 | (EH) -Internet Specialties West vs. GTE for improper disconnection of ISDN over Centranet services, Commission Courtroom, Los Angeles (also November 17) |
| 12/7/98 ALJ Galvin Comr Duque | 10:00 a.m. A.98-05-038 | (EH) -Pacific Bell for authority for pricing flexibility and to increase prices of certain operator services to reduce the number of monthly directory assistance call allowances and adjust prices for four centrex optional features, Commission Courtroom, San Francisco (also December 8-9) |
| 12/17/98 ALJ Barnett Comr Bilas | 10:00 a.m. A.98-04-015 | (EH) -Unocal California Pipeline Company for authority to remove its line 700B oil pipeline in Los Angeles County from carrier service, Commission Courtroom, Los Angeles (also December 18) |
| 1/5/99 ALJ Barnett Comr Conlon Comr Bilas | 10:00 a.m. A.97-12-039 | (EH) -San Diego Gas and Electric Company for authority to sell electrical generation facilities and power contracts, Commission Courtroom, San Francisco (also January 6-8, January 11-14) |
| 1/12/99 ALJ Stalder Comr Duque | 9:00 a.m. A.98-04-003 | (PHC) -Pacific Gas and Electric Company for Commission order finding that its electric operations during the reasonableness period from January 1, 1997 to December 31, 1997 as well as certain of its gas operations during the reasonableness periods from January 1, 1996 to December 31, 1996 and January 1, 1997 to December 31, 1997, were prudent; made to seek recovery of costs related to the ISO-PX Implementation Delay Memorandum Account, Commission Courtroom, San Francisco (also (EH) February 1-16) |
| 1/18/99 | 10:00 a.m. | (EH) -Rulemaking on the Commission's Own Motion to |

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| ALJ Walwyn | R.93-04-003 | Govern Open Access to Bottleneck Services and |
| Comr Bilas | | Establish a Framework for Network Architecture |
| Comr Duque | | Development of Dominant Carrier Networks, |
| | I.93-04-002 | (EH) -Investigation of the Commission's Own Motion |
| | | into Open Access and Network Architecture |
| | | Development of Dominant Carrier Networks, |
| | | Commission Courtroom, San Francisco (also |
| | | January 19-22, 1999) |

NOTICE OF DENIAL OF REQUEST FOR EX PARTE MEETING

On September 20, 1996, the Commission adopted Resolution ALJ 169 regarding the "Filing of Notice of Denial of Request for Ex Parte Meeting". The resolution implements an interim procedure whereby a party whose written request for an ex parte meeting with a Commissioner has been denied will be allowed to file a notice of such denial. Copies of Resolution ALJ 169 are available from the Commission's Central Files Office at 505 Van Ness Avenue, Room 2002, San Francisco; telephone (415) 703-2045. Copies of tendered notices are available in the Central Files Office for review and/or reproduction under existing procedures. They are also available from the filing party who is under the obligation to provide copies of the notice without delay.

NONE FILED

NOTICE OF ALL-PARTY MEETINGS (PU Code § 1701.3(c))

NONE

NOTICE OF EX PARTE COMMUNICATIONS

Copies of tendered notices are available in the Central Files Office for review and/or reproduction under existing procedures. They are also available from the filing party who is under the obligation to provide copies of the notice without delay.

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| 9/15/98 | A97-11-004 | Pacific Gas and Electric Company, to identify cost savings for revenue cycle services provided by other entities and to propose credits for end-use customers in such circumstances. |
| | A97-11-011 | Southern California Edison Company, to identify cost savings for revenue cycle services provided by other |

A97-12-012 entities and to propose net avoided cost credits for end-use customers in such circumstances for implementation on 1/1/99.

San Diego Gas & Electric Company, to identify cost savings for revenue cycle services provided by other entities and to propose credits for end-use customers in such circumstances for implementation no later than 1/1/99.

Summary: On September 10, 1998 a representative of Southern California Edison (“SCE”), Bruce C. Foster, Vice President of Regulatory Policy & Affairs made oral ex parte comments before Commissioner Conlon and his advisor, James Hendry. The occasion was an all party meeting held at CPUC. SCE’s Notice of Ex Parte Communications indicated that Pacific Gas & Electric (PG&E) initiated the meeting. In addition to the aforesaid two (2) entities, other attendees included representatives from CCUE, SoCalWater (dba BE), San Diego Gas & Electric, DGS, California Energy Commission, CellNet, Enron, and the Energy Division of PUC. Mr. Foster stated SCE agreed with the administrative law judge’s proposed decision (“PD”) in regard to revenue cycle service (“RCS”) calculation based on the utility’s net avoided cost of providing those services. He said that Enron and CellNet failed in their burden of proving their methodology satisfies Commission policy regarding RCS cost credits. SCE is concerned, he said, that several methodological aspects of the PD will result in cost credits not accurately reflecting SCE’s net avoided costs. One difference between SCE and San Diego Gas & Electric (“SDG&E”), according to Mr. Foster, is that SDG&E assumes all labor costs are available. But some labor costs cannot be avoided, he said, citing the example of meter reading and the necessity to drive to the route and then walk the route. Mr. Foster then said the PD incorrectly rejects proposed geographic deaveraging. He said that SCE’s proposal was intended to mitigate the risk of improper “cherry picking” and cost shifting, as energy service providers (“ESP”) move to serve average, as opposed to poor paying, customers. Mr. Foster concluded by saying SCE identified savings that could be accomplished if up to 10% penetration occurred, an assumption he said that errs on the side of providing too large a credit for 1999.

Filer: Edison

Fax (626) 302-3990

Contact: James M. Lehrer

Phone: (626) 302-3252

Summary: LATE FILED. On September 8, 1998, Southern California Edison (“SCE”) representatives Bruce C. Foster and Mike Hoover engaged in oral ex parte communications with Commissioner Nepper in a meeting at CPUC initiated by SCE. Mr. Foster praised the administrative law judge’s proposed decision (“PD”) with respect to revenue cycle service (“RCS”) credits being calculated on the utility’s net avoided cost of providing those services. He expressed concern, however, that several methodological aspects of the PD will result in cost credits not accurately reflecting SCE’s net avoided costs. Mr. Foster further stated one of the significant differences between SCE and SDG&E with respect to the PD’s methodology is that SDG&E assumes all labor costs are avoidable. Mr. Foster stated basing SCE’s credits on SDG&E’s methodology is contrary to the principle of accurately reflecting net avoided costs. Mr. Foster then pointed out the PD incorrectly

rejects proposed geographic deaveraging. SCE, like the other utilities, identified savings that could be accomplished if up to 10% penetration occurred according to Mr. Foster's commentary. He concluded by saying this assumption, if anything, errs on the side or providing too large a credit for 1999, during which the penetration level is very likely to remain in the 1 to 2% range.

Filer: Edison

Fax (626) 302-3990

Contact: James M. Lehrer

Phone: (626) 302-3252

9/15/98 A97-12-043 Southern California Edison Company, for order approving termination agreement for termination of Interim Standard Offer No. 4 Power Purchase Agreement with Harbor Cogeneration Company

Summary: On September 10 and 11, 1998, Elizabeth M. Matthias, senior attorney for Southern California Edison ("SCE"), engaged in oral telephonic ex parte communications with Administrative Law Judge ("ALJ") Gottstein. On 9/10/98 Ms Matthias stated she would be sending to the ALJ a copy of a letter agreement between SCE and Harbor Cogeneration Company that was referenced in SCE's comments on the proposed decision ("PD"). She added the letter agreement amends the contract termination agreement in two ways..(and listed those ways). Ms Matthias expressed SCE's desire to have the PD voted upon by CPUC as soon as possible, and stated SCE's desire to cooperate to that end. In the telephone call of 9/11/98 initiated by the ALJ, Ms Matthias clarified that the letter agreement is a public document and that it was sent to all parties. Ms Matthias further discussed SCE intentions to file comments on the PD by fax, and that she (Ms Matthias) would advise the other parties to do the same.

Filer: Edison

Phone: (626) 302-3104

Contact: Anthony Archer

9/15/98 A97-05-027 Southern California Edison Company, for an order approving the settlement agreements between Southern California Edison Company and winning bidders in Edison's biennial resource plan update auction.

Summary: On September 10, 1998, Zond Systems, Inc. ("Zond") and others engaged in oral ex parte communications with Commissioner Knight and his advisor, Robert Lane, during a meeting held at CPUC. Zond initiated the meeting, and filed the Notice of Ex Parte Communications on behalf of all attendees. Zond was represented by attorney Sara Steck Myers, with the other representatives and parties: (a) attorney Steven F. Greenwald on behalf of Oxbow Power Company and Bowerman Renewable Power Partners, L.P. and Olinda Renewable Power Partners, L.P. and (b) Frank De Rosa (Vice President, Western Region), on behalf of U.S. Generating Company. The notice indicated Ms Myers and Mr. De Rosa updated the commissioner on the status of A97-05-027. Mr. De Rosa stated the settlements in the proceeding are consistent with the directives of both the PUC and the Federal Energy Regulatory Commission ("FERC") to settle the Biennial Resource Plan Update ("BRPU") in 1995 and are consistent with AB 1890. Both Mr. De Rosa and Mr.

Greenwald indicated U.S. Generating and Oxbow are still honoring the option agreements and that the agreements are a backstop available to Southern California Edison (“Edison”) and others in the event new, cost effective capacity did not materialize due to discontinuation of long term contracts. Ms Myers urged a decision be based on facts and law in effect at the time the parties were asked by PUC and FERC to settle, rather than litigate the BRPU. She stated Zond had wanted and intended to build a project in response to the BRPU auction and that, as a winning bidder, had a legally enforceable basis on which to proceed. Instead, she said, Zond had acted in response to PUC and FERC and, to resolve the matter, had settled with Edison. The three (3) representatives urged a Commission decision by the end of the year.

Filer: Zond Systems, Inc.

Contact: Sara Steck Myers

Phone: (415) 387-1904

9/15/98 A97-07-015 Southwest Gas Corporation, to modify the terms and conditions of the certificate of public convenience and necessity granted in D95-04-075 to provide natural gas service in areas of El Dorado, Nevada, and Placer Counties

Summary: On September 10, 1998, a Southwest Gas Corporation (“Southwest”) official communicated in writing to each of the five (5) commissioners by providing them a copy of a letter written by the company to the Town Manager of Truckee. Southwest’s Mr. James P. Kane (Senior Vice President/Operations) wrote to Town Manager Stephen L. Wright on 9/10/98, with a subject line on the letter of “Status of Truckee Expansion Project.” In his letter, Mr. Kane told Town Manager Wright that Southwest was requesting from PUC a rehearing of D98-07-031, that the company had continued to engage in construction activities necessary to providing natural gas services to the Truckee area, and that Southwest denied any assertion they were disregarding D98-07-031. Mr.Kane indicated to Mr. Wright he had sent a letter on 7/9/98 to Jon Lander and was enclosing a copy for the town manager. In the letter’s last paragraph Mr. Kane cited examples of the town’s failure to cooperate with Southwest and indicated “Truckee’s present posture will likely only contribute to more contention and to increased costs for all entities who are involved.” A copy of Southwest’s 9/10/98 letter is attached to the Notice of Ex Parte Communications. The 9/10/98 letter noted that the commissioners were not provided a copy of the 7/9/98 letter, e.g. “(w/o enc.)”

Filer: Southwest Gas Corporation

Contact: Keith Brown

Phone: (702) 876-7157

9/15/98 A97-12-043 Southern California Edison Company, for order approving termination agreement for termination of Interim Standard Offer No. 4 Power Purchase Agreement with Harbor Cogeneration Company
A98-04-003 Pacific Gas and Electric Company, for Commission order finding that its electric operations during the reasonableness period from January 1, 1997 to

December 31, 1997, as well as certain of its gas operations during the reasonableness periods from January 1, 1996 to December 31, 1996 and January 1, 1997 to December 31, 1997, were prudent

Summary: LATE FILED. On September 9, 1998 Sempra Energy representative Claudine Swartz on behalf of Southern California Gas Company ("SoCalGas") met with Michelle Cooke, advisor to Commissioner Duque, and conveyed oral ex parte communications to the advisor. Ms Swartz urged the Commission to consider the interests of gas ratepayers in the proposed decision for A97-12-043. She said the proposed decision ("PD") limits SoCalGas' ability to reach settlement with other qualifying facilities during the restructuring process as it did with Sunlaw Cogeneration. She said language should be added to clarify that SoCalGas is not preempted from participating in other specific qualifying facility restructuring cases. Before departing, Ms Swartz urged quick resolution of SoCalGas' motion for reconsideration of an assigned commissioner's ruling in A98-04-003.

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Summary: On September 10, 1998 Sempra Energy representative Claudine Swartz on behalf of Southern California Gas Company ("SoCalGas") spoke via telephone to David Gamson, advisor to Commissioner Neeper. Ms Swartz urged the addition of language in the proposed decision ("PD") to clarify that PUC is still considering the policy question of whether gas ratepayer interest should be considered in R94-04-031/I94-04-032 as well as additional, specific qualifying facility restructuring cases. She urged consideration of interests of gas ratepayers in the PD. She explained the PD limits SoCalGas' ability to reach settlement with other qualifying facilities during the restructuring process as it did with Sunlaw Cogeneration. The PD should also clarify, she said, that PUC is considering whether gas ratepayer interests should be considered in R94-04-031/I94-04-032. Ms Swartz further said language should be added to clarify that SoCalGas is not preempted from participating in other specific qualifying facility restructuring cases. Before departing, Ms Swartz urged quick resolution of SoCalGas' motion for reconsideration of an assigned commissioner's ruling in A98-04-003.

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